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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
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9 United States of America,

10 Plaintiff,

11 v.

12 Martel Alvarez-Chavez, et al.,

13 Defendants.  
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No. CR-92-00113-001-PHX-NVW

**ORDER**

15 Before the Court is Defendant's Motion to Alter/Amend Sentence Under the  
16 "Sentencing Reform Act of December 2018" (Doc. 404), the Response, and the Reply. In  
17 1992 Defendant was sentenced to a then-mandatory term of life in prison without parole  
18 upon conviction of conspiracy to possess cocaine with intent to distribute, with two prior  
19 felony drug convictions. He removes for sentence reduction under the First Step Act, 132  
20 Stat. 194 (2018), which reduces the mandatory sentence in such cases from life  
21 imprisonment to 25 years. The Act applies "to any offense that was committed before the  
22 date of enactment of this Act, if a sentence for the offense has not been imposed as of such  
23 date of enactment." *Id.* § 401(c). The Act is not retroactive of Defendant's 1992 sentence  
24 because his sentence was imposed 26 years before the date of enactment of the Act.

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**IT IS THEREFORE ORDERED** that Defendant's Motion to Alter/Amend Sentence Under the "Sentencing Reform Act of December 2018" (Doc. 404) is denied.

Dated this 12th day of June, 2019.

  
Neil V. Wake  
Senior United States District Judge